

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

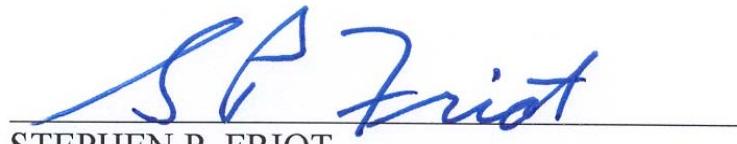
JESSE OBERMILLER, )  
                        )  
Plaintiff,           )  
                        )  
vs.                   ) Case No. CIV-06-0891-F  
                        )  
STEPHANIE BURKS, Jail )  
Administrator, et al., )  
                        )  
Defendants.          )

**ORDER**

Magistrate Judge Valerie Couch's Report and Recommendation of October 11, 2006 (doc. no. 9) is before the court. The Report recommends dismissal without prejudice for failure to comply with the Magistrate Judge's orders regarding curing deficiencies in his motion to proceed *in forma pauperis*. The Report advised plaintiff that any objections must be filed with the clerk by October 31, 2006, and that failure to make timely objection waives plaintiff's right to appellate review of the factual and legal issues addressed in the Report. Plaintiff has not objected to the Report, nor has he sought an extension of time within which to object. Nor has plaintiff cured the deficiencies in his motion.

Accordingly, there being no objection, and after careful review, the court **ACCEPTS, ADOPTS, and AFFIRMS** the Magistrate Judge's Report and Recommendation. This action is **DISMISSED** without prejudice.

Dated this 16<sup>th</sup> day of November, 2006.

  
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STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE